

REFLECTIONS ON THE LIVES AND ACHIEVEMENTS OF
MICHAEL COPER, DAVID WEISBROT, ROSALIND
CROUCHER AND CHRISTOPHER ROPER, FOUR
OUTSTANDING LEGAL EDUCATORS OF THE MODERN ERA
OF AUSTRALIAN LEGAL EDUCATION

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ABSTRACT

Two previous JALTA articles considered the achievements of eight legal educators who have provided both inspiration and leadership in Australian legal education from the time of first European settlement in 1788 until 1989. This article reviews the achievements of a final four outstanding legal educators — Michael Coper, David Weisbrot, Rosalind Croucher and Christopher Roper — who have been outstanding educators and leaders in the last three decades.

This article considers the challenges these academics faced in a drastically changed legal education setting, in which law schools have transformed from their early role as small entities within universities that trained legal practitioners to institutions with vastly more complex present-day functions. These challenges included an emphasis on students developing legal skills rather than merely accumulating knowledge, and a growing participation in high-level postgraduate research.

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I INTRODUCTION

In two previous JALTA articles,¹ I have discussed eight law academics who provided both inspiration and leadership within the Australian legal education community. The first four academics progressed legal education from European settlement to the Second World War, and the last four were active in the post-war period until 1989. In making the difficult decision of selecting the final four outstanding legal educators, who have stood out in the last three decades, I have chosen people who have recently retired from legal education, namely Michael Coper,² David Weisbrot, Rosalind Croucher and Christopher Roper. It is submitted that they would probably also have been selected by a cross-section of their peers. I have not considered law academics who are still actively involved in legal education, as their contribution is ongoing.

Of the four educators selected, three have been conferred emeritus status: Coper by the Australian National University ('ANU'); Weisbrot by the University of Sydney; and Croucher by Macquarie University. Roper is a former Director of the Centre for Legal Education, and previously headed both the College of Law, Sydney and the Leo Cussen Institute, Melbourne. All four have been awarded the Order of Australia, Coper as an Officer and the others as Members.

In compiling this list, I have taken into account their involvement in the most unprecedented and unexpected expansion of law schools in Australia. This increase resulted in an additional 16 law schools being established between 1989 and 1997, with a further 10 in the first 18 years of the 21st century. It is a phase that has been described as the 'Third Wave' law schools or, in my phrase, 'Avalanche of Law Schools'.³ The academics selected have, therefore, participated in one of the most challenging times for legal education, when it has had to retain and enhance its status as a major university discipline while at the same time maintaining the role of law schools as the only recognised providers (other than the New South Wales Law Extension Course) of the academic stage of the three phases of training for the legal profession. These academics have been charged with ensuring that law schools have been able to retain their relationship with the legal profession while also complying with increasing demands placed upon them and their staff in terms of performance appraisal relating to teaching/learning and research. This reconciliation of conflicting objectives has been achieved in an era in which universities have been subject to increasing bureaucratic control over resources, curricula and funding.

¹ David Barker, 'Reflections on Four Leading Early Australian Law Academics' (2017) 10 *Journal of the Australasian Law Teachers Association* 1; David Barker, 'Post-World War II Icons of Australian Legal Education: Professors David Derham, Hal Wootten, Dennis Pearce and Tom Cain' (2017) 11 *Journal of the Australasian Law Teachers Association* 1.

² I regretfully note that Michael passed away on 13 April 2019. See 'Obituary: Emeritus Professor Michael Coper AO, FAAL', *ANU College of Law* (Web Page, 16 April 2019) <<https://law.anu.edu.au/news-and-events/news/obituary-emeritus-professor-michael-coper-ao-faal>>.

³ David Barker, 'An Avalanche of Law Schools: 1989 to 2013' (Paper presented at the Australasian Law Teachers Association Conference, Legal History Interest Group, Canberra, 1 October 2013) 153.

These academics have also had to assert leadership within both the legal education and the wider legal communities, while at the same time maintaining their personal credentials with respect to research, teaching and leadership. Nevertheless, only in the long term, through ongoing historical analysis of supporting evidence of the evolution and evaluation of the formal sources of legal education, will we become certain that the latest nominated four academics deserve to be included among the eight other outstanding legal educators.

II COPER

Coper graduated from the University of Sydney in 1970 and subsequently taught at the Department of Law at the University of Rajasthan in Jaipur, India as a Myer Foundation Asian and Pacific Fellow.⁴ An account of his year in India was published in the *Jaipur Law Journal*.⁵ He became a teaching fellow and then lecturer at the University of New South Wales ('UNSW') Law School. During this time he also completed a PhD on s 92 of the *Australian Constitution*, which was later published as *Freedom of Interstate Trade under the Australian Constitution*.⁶ In 1978, Coper received a Fulbright Senior Scholarship to study in the United States at the University of Virginia.

Coper's tenure at UNSW in the 1970s marked a visionary period of the Law School, particularly for its reputation of embodying modern law school teaching methods, which, combined with other teaching reforms such as interactive methods of teaching and continuous class assessment, created an atmosphere of social consciousness.

In 1988, Coper left UNSW to take up an appointment as an Inter-State Commissioner in Canberra, also serving as a member of the Committee of the Constitutional Commission. James Stellios, editor of Coper's *Festschrift*, describes his appointment as a lawyer member of the Commission:

He was recommended by the Commission's retiring President Justice Mervyn Everett, with whom Coper had worked closely on the Trade and National Economic Management Committee of the Constitutional Commission in the mid-1980s. Gough Whitlam, whose baby the Inter-State Commission was in its second appearance in the 20th century and who launched Coper's book *Encounters with the Australian Constitution* in 1987, may also have been instrumental ... According to Michael, it was an exhilarating period in his life.⁷

Coper similarly recalls:

⁴ 'Our People: ANU College of Law, Michael Coper', *Australian National University* (Web Page, 2019) <<http://law.anu.edu.au/staff/Michael-coper>>.

⁵ Michael Coper, 'Freedom of Trade in India and Australia: Introductory Thoughts on the Nature of Judicial Choice' (1970) 10 *Jaipur Law Journal* 1.

⁶ Michael Coper, *Freedom of Interstate Trade under the Australian Constitution* (Butterworths, 1983).

⁷ James Stellios (ed), *Encounters with Constitutional Interpretation and Legal Education; Essays in Honour of Michael Coper* (Federation Press, 2018) 18.

I felt at that time that despite having had some success in advocating legal change through my academic writing and other channels, my experience at the Inter-State Commission brought me closer than I had previously been to having a direct input into government policy.⁸

On the demise of the Inter-State Commission in 1991, Coper moved to Sly and Weigall (later Deacons Graham & James) as Director of Government Advising, where he was primarily involved in commercial and constitutional work, some of which entailed collaboration with the Federal Attorney-General's Department. He was then appointed to the ANU College of Law in 1995 as the Robert Garran Professor of Constitutional Law, succeeding Leslie Zines.

ANU's Faculty of Law had been established within the School of General Studies in 1960. Some commentators have regarded the Law School as the last of the traditional law schools, while others have regarded it as the beginning of the 'Second Wave'. In reality, it was a bridge between two worlds.⁹ Within three years of joining ANU, Coper had become Dean of the Faculty of Law, a position he held until the end of 2012. He was ANU's longest serving Law Dean.¹⁰

Coper's contribution to Australian legal education may be usefully reviewed in three areas: his contribution to legal scholarship, particularly within the area of research and publications; his role within the ANU Law School; and the contribution of his leadership to the wider legal education community.

A Contribution to Legal Scholarship

Coper's first major work, which brought him to the attention of constitutional lawyers, was *Freedom of Interstate Trade under the Australian Constitution*.¹¹ This book was based on his award-winning PhD thesis and deals, in particular, with s 92 of the *Australian Constitution*. Sir Anthony Mason described the work as a 'splendid book', adding that 'it will do much for the progressive evolution of the law in this country'.¹² *Encounters with the Australian Constitution* secured Coper's reputation as an expert in Australian constitutional law. Williams observed, 'when the work first appeared in 1987, it turned judicial and academic heads'.¹³ Furthermore, Starke commented, 'not only is the author's text in itself a tour de force, but the production and form, in conjunction with the accompanying copious photographs, drawings and illustrations are of superb quality'.¹⁴

⁸ Ibid.

⁹ David Barker, *A History of Australian Legal Education* (Federation Press, 2017) 62.

¹⁰ Ibid 63.

¹¹ Coper, *Freedom of Interstate Trade* (n 6).

¹² Sir Anthony Mason, 'Book Review' (1983) 6 *University of New South Wales Law Journal* 234.

¹³ John Williams, 'Encounters with Michael Coper's Career and the Search for New Ways Forward' in James Stellios (ed), *Encounters with Constitutional Interpretation and Legal Education; Essays in Honour of Michael Coper* (Federation Press, 2018) 21.

¹⁴ JG Starke, 'Book Review' (1988) 62 *Australian Law Journal* 100.

The next of his major books was the *Oxford Companion to the High Court of Australia*, co-edited with Tony Blackshield and George Williams,¹⁵ which Irving described as ‘stand[ing] among his greatest contributions’.¹⁶ Furthermore, ‘all understood from the start that Coper was its originator and its driving force. Certainly, it would not have appeared without him.’¹⁷

Coper wrote or edited another seven books, together with 21 book chapters, 30 journal articles and numerous shorter notes and comments and unpublished papers, many representing conference presentations, both national and international. These outputs illustrate the important ongoing contribution he has made to legal literature.

B *Role at ANU*

Coper commented on his role as a legal educationalist, particularly during his long period as Dean of the ANU Faculty of Law, later renamed the ANU College of Law, in the following terms:

I derive enormous satisfaction from leading a law school that conducts important and socially useful research; imparts the results of that research to some of the best and brightest students in Australia; and engages with the community in a wide range of what we call ‘outreach’ activities ...¹⁸

He added:

The highest standards of teaching and research, and the production of lawyers of the highest competence, are important goals in their own right, but are also necessary pre-conditions to the effectiveness of agitation for law reform and social justice.¹⁹

He has also stated that:

I enjoyed very much being Dean — perhaps even [though] ... it does come at a cost, both at a personal level and in terms of the impact on one’s capacity to continue to develop as a genuine scholar ... One can do much good as a dean; but it is less tangible, less adapted to general dissemination, less well remembered, and, in the end, less valued and less enduring, than one’s contribution to scholarship and the world of ideas.²⁰

C *Legal Community*

When considering Coper’s influence as a leader within the legal educational community, it is relevant to reflect on his role as Chair of the Council of Australian Law Deans (‘CALD’) during

¹⁵ Tony Blackshield, Michael Coper and George Williams (eds), *The Oxford Companion to the High Court of Australia* (Oxford University Press, 2001).

¹⁶ Helen Irving, ‘Through the Lens of an Encyclopedia’ in James Stellios (ed), *Encounters with Constitutional Interpretation and Legal Education; Essays in Honour of Michael Coper* (Federation Press, 2018) 147.

¹⁷ *Ibid.*

¹⁸ Michael Coper, ‘Dean’s Welcome’, *ANU College of Law* (Web Page, February 2010) <<https://web.archive.org/web/20120119085552/http://law.anu.edu.au/deansMessage.asp>>.

¹⁹ *Ibid.*

²⁰ Stellios (n 7) 193.

the period 2005–08, when he was also Chair of the Standards Committee. He explained the purpose of the CALD standards project as providing for the enhancement of ‘the quality of Australian law schools in all of their diverse endeavours, and to do so by assisting all Australian law schools to strive for and to reach a clearly articulated set of standards’.²¹

The outcome was that the standards themselves were incorporated in a unanimous resolution adopted by CALD at its first meeting on 4 March 2008 at the UNSW Conference Centre at Coogee Sands, hence the resolution was titled the ‘Coogee Sands Resolution’.²² This resolution was both a notable triumph for CALD and also for Coper as its Chair. It ensured that not only was the agreement inclusive of all Australian law schools, but it confirmed that by taking the initiative in this way, it forestalled any outside official body or institution from imposing any unacceptable or draconian forms of standards on the law schools. This decision was probably the greatest triumph of Coper’s legal education career.²³

III WEISBROT

Despite being highly influential as an Australian legal educator, Weisbrot was born and educated in the United States. He studied Politics and Communications at Queens College, City University of New York, before undertaking his Juris Doctor Law Degree at the University of California Los Angeles. He subsequently qualified as a lawyer by passing the California Bar Examination. Before coming to Australia he had worked at both the Congress of Micronesia as a lawyer and the University of Papua New Guinea as a law academic. He was one of the overseas lawyers who caught the enthusiasm of the innovative approach to legal education adopted by the UNSW Law School, and he joined the staff there in 1979. He has recalled how it was a unique time to be involved in Australian legal education and what a rewarding experience being a member of the UNSW Law School proved to be.²⁴ During his time at UNSW, he took leave of absence to work at the New South Wales Law Reform Commission for four years, an experience that was to stand him in good stead when he was subsequently appointed to the Australian Law Reform Commission (‘ALRC’).

After UNSW, Weisbrot moved to the University of Sydney Law School, where he served as Dean until 1997. This was a crucial time for the Law School as it was during this period that he initiated changes to its structure that enabled it to regain some of the prestige it had ceded to UNSW. He also progressed plans for the Law School to move to the main university campus. He was subsequently appointed a Pro-Vice-Chancellor of the university, during which time he restructured the university’s faculty system, introducing a college system whereby the 18 university faculties were divided into three colleges. Law was incorporated into a college that included Arts, the Conservatorium of Music, Sydney College of Fine Arts, Education, the

²¹ Michael Coper, Council of Australian Law Deans, *A Brief History of the CALD Standards Project* (Report, 9 March 2008) <https://cald.asn.au/wp-content/uploads/2017/11/CALDStandardsforAustralianLawSchoolsProjectBrief_History1.pdf>.

²² Barker, *A History of Australian Legal Education* (n 9) 150.

²³ *Ibid.*

²⁴ Interview with David Weisbrot, Chair of the Australian Press Council (Sydney, 8 November 2013).

Graduate School of Business and the Faculty of Economics and Commerce. However, most commentators on legal education would probably agree that the most momentous time for change in Australian legal education was brought about by the appointment of Weisbrot as President of the ALRC in July 1999.

At the time of his appointment, the ALRC was at the final stage of completing its report *Managing Justice* ('ALRC 89'), which represented 'the culmination of a major four year inquiry, which commenced with terms of reference directing the Commission to consider "the need for a simpler, cheaper and more accessible legal system"'.²⁵ The launch of this report on 17 January 2000 was preceded by *Review of the Federal Civil Justice System* ('DP 62') published in August 1999.²⁶ At this stage, DP 62 indicates legal education was only contemplated as comprising a minor part of the review, headed 'Education, training and accountability'.²⁷ This part constituted a mere 36 pages of DP 62, with legal education forming 17 pages. Within these 17 pages, there was little reference to modern contemporary Australian legal education. Much of this section included reports on legal education in the United Kingdom and North America, together with comment on dispute resolution, practical legal education and continuing legal education. Weisbrot's appointment as ALRC President explains the different in focus of DP 62 and ALRC 89. Despite the short period between his appointment and the publication of ALRC 89, there was a dramatic change in ALRC 89's objectives — in particular, a widening of these objectives relating to the influence of all aspects of legal education. Under the heading of 'Education, training and accountability', ALRC 89 included not only education for the legal profession, but education and professional development for judges, judicial officers and tribunal members.

In measuring the effect and success of ALRC 89, without gainsaying the work of the Commissioners, there can be no doubt that Weisbrot's tenure as President had a major impact on its lasting effect on the development of Australian legal education from the time of its publication onwards.

This article is not about the ALRC 89, but it is relevant to Weisbrot's influence on the more challenging goal for legal education set in the report, as compared to that identified in DP 62. While the latter stated the 'requirement of higher educational qualifications is classically one of the defining features of the profession', the former set a more challenging goal of engaging with 'theory and practice in relation to the nature, shape, siting, funding and regulation of professional education [being] contingent and dynamic, and thus open to contest and controversy'.

While focusing on the academic stage of legal education, ALRC 89 also broke new ground by its willingness to undertake a comparative study of legal education in other jurisdictions,

²⁵ Australian Law Reform Commission, *Managing Justice: A Review of the Federal Civil Justice System* (ALRC Report No 89, 2000) 7.

²⁶ Australian Law Reform Commission, 'Review of the Federal Civil Justice System' (Discussion Paper No 62, 1999).

²⁷ *Ibid* 40.

particularly the United States' MacCrate Report, which emphasised the importance of 'professional legal skills'. ALRC 89 recognised that development of 'skills which will be needed in any subsequent legal practice' was an 'emerging trend in [Australian legal education]'. It acknowledged the current difference between Australian legal education and that of North America, stating 'MacCrate would orient legal education around what lawyers need to be able to do, while the Australian position is still anchored around outmoded notions of what lawyers need to know.'

Weisbrot's other major influence on the ALRC's recommendations was Recommendation 6, which sought the establishment of an Australian Academy of Law, to 'serve as a means of involving all members of the legal profession — students, practitioners, academic and judges — in promoting high standards of learning and conduct and appropriate collegiality across the profession'.

As an outcome from ALRC 89, while he was still President, Weisbrot convened a small group of leading law academics and led the discussion and negotiation whereby the Australian Academy of Law came into existence in 2007, and, for a short period, he acted as its temporary inaugural President. The fact that the Academy is currently recognised as a vibrant institution with approximately 380 selected members owes much to the earlier foresight of the ALRC, and of Weisbrot in particular.

IV CROUCHER

Croucher originally studied at the ANU Faculty of Law, transferring in 1974, after her first year, to the School of Law, University of Sydney, where she was awarded both a BA and an LLB. In 1994, she graduated with a PhD in legal history from UNSW.

Croucher has been involved in legal education for 25 years, originally in 1982 as a lecturer at Macquarie University Law School, moving two years later in 1984 to the UNSW Law School, and then to the University of Sydney Law School in 1990, where she was Head, Department of Law, Acting Dean and then Interim Dean in 1997–98.²⁸ She returned to Macquarie University Law School in 1999, where she was Dean of Law until 2007.²⁹ Croucher's role as Dean was credited with leading the Macquarie Law School back to some form of normality in the relationships between its various academic staff members.³⁰ This followed the Pearce Committee's findings in March 1987 that the Macquarie Law School 'should be closed, phased or divided due to irreconcilable differences'.³¹ Croucher took up this challenge as Dean.

²⁸ Rosalind Croucher, 'Rosalind Frances Croucher', *Australian Women Lawyers as Active Citizens* (Web Page, 14 November 2016) <<http://www.womenaustralia.info/lawyers/biogs/AWE5643b.htm>>.

²⁹ 'President — Rosalind Croucher', *Australian Human Rights Commission* (Web Page, 28 July 2017) <<https://www.humanrights.gov.au/about/commissioners/president-rosalind-croucher>>.

³⁰ Barker, *A History of Australian Legal Education* (n 9) 83.

³¹ Dennis Pearce, Enid Campbell and Don Harding, *Australian Law Schools: A Discipline Assessment for the Commonwealth Tertiary Education Commission* (AGPS, 1987).

Her firm but communicative personality stood her in good stead. Gradually the Law School returned to its focus on good relationships between the staff and the students, which had very much been its hallmark during the early days of the deanships of Professors Nygh and Peden. Examples of this change are illustrated by the Law School establishing major law journals. The *Macquarie Law Journal*, an initiative of students and staff, was launched in 2001 and joined by a further series of specialist journals: the *Australian Journal of Legal History*, the *Macquarie Journal of International and Comparative Environmental Law* and the *Macquarie Journal of Business Law*. In 2000 the Law School hosted its inaugural prize-giving ceremony, which, in addition to the normal prizes donated by law firms and professional bodies, included Croucher presenting special Dean's Awards to recognise service by students within the law school community. These initiatives had not been considered important by the Law School in the 20 or so years preceding her joining. Another of her initiatives was establishing the Trevor Martin Moot Court in 2002.

Croucher's approach to the challenges of legal education, particularly at the Macquarie Law School, are well documented in *The First 30 Years of the Macquarie Law School*, which she jointly edited with Jennifer Shedden. In an afterword, she states:

The aim of Macquarie Law is that one may meet the other [teaching and learning] and that our students will rise to the challenge of the prodding of their teachers and, in time, if not immediately, appreciate the value of deep learning. For our goal is not to educate for the moment, with quick grabs of law as it might be at the time of one examination or another but to educate for a lifetime, with an understanding of the dynamics of the 'whys', 'wherefores', and 'hows' of the law that equips our graduates to be able to respond to any issue at the time it is raised. Law is not a static thing, but a living creature. Understanding how it moves, changes, reconfigures itself, is an essential element in continuing to be true to the law.³²

Besides being recognised as an outstanding teacher, Croucher has also co-published with Prue Vines a major text on succession law — *Succession: Families, Property and Death*, now in its fourth edition. She has also edited seven books, including *Families and Estates: A Comparative Study* and *Law and Religion: God, the State and the Common Law* (co-edited with Peter Radan and Denise Meyerson), and written 20 book chapters. In 2007 she was appointed as Foundation Fellow of the Australian Academy of Law, serving on its Board of Directors until 2018, during which time she was also Chair of its Projects Committee. In this capacity, she was proactive in ensuring that the Academy developed a country-wide series of activities that fully embraced the membership. She was also CALD Chair, 2002–03.

In 2006, Croucher was appointed to the ALRC and was its President between 2009 and 2017. During this time as a Commissioner, she led a number of significant inquiries. Other law-related honours and awards that she has received include Honorary Fellowship of the Australian College of Law Medicine (2004) and Honorary Life Membership of the Women Lawyers Association of New South Wales (2013), besides being the winner in 2014 of the

³² Rosalind Croucher and Jennifer Shedden, *Retro 30: Thirty Years of Macquarie Law School* (Macquarie University, 2005) 254.

Australian Women Lawyers Award in recognition of her ‘outstanding contribution to the legal profession’ in supporting and advancing women in the legal profession. In the same year she was also named in the *Australian Financial Review* and Westpac awards as one of Australia’s ‘100 Women of Influence’, due to the effect of her contributions to public policy.³³

She is currently the President of the Australian Human Rights Commission, having been appointed in 2017. In 2015 Croucher was appointed a Member of the Order of Australia for ‘significant service to the law as an academic, to legal reform and education, to professional development and to the arts’.

V ROPER

Roper’s legal academic career has been significantly different from those of the other three scholars discussed in this article, although he briefly held a chair at the University of Newcastle Law School. In fact, much of his background is different from that of a conventional academic lawyer, although his studies commenced in a traditional manner when he enrolled at the University of Sydney, where he studied for an LLB/BA during the period 1962 to 1967. After graduation, he completed articles before being admitted to practice as a solicitor in New South Wales in 1968. After a period of practice both in England and New South Wales, he attended Trinity College, University of Melbourne to study for a degree in Theology, which he completed in 1975. Having decided not to undertake ordination within the Anglican Church, he first worked with the Law Foundation of Australia and then moved to the Law Council of Australia where he was employed by the Hon Robert Nicholson, the first full-time Secretary-General. In some ways this was a portent as to the future direction of his involvement in administration with legal organisations.

The opportunity arose for Roper to become involved with legal education administration in the form of practical legal training when he became the Executive Director of the Leo Cussen Institute in Melbourne from 1972 to 1982. He subsequently become Director of the College of Law, Sydney from 1982 to 1988. He then moved to Stephen Jacques, a large Sydney law firm, and was responsible for the continuing legal education of their solicitors for a four-year period, until he was appointed to the newly established Centre for Legal Education (‘CLE’) in February 1992.³⁴ The CLE had been established under the auspices of the Law Foundation of New South Wales as an outcome of a Colloquium on Legal Education conducted by the Foundation in June 1990, which had had as its major goals:

To examine the problems and challenges, within the existing education process, that relate to the transforming of law students into legal practitioners; to examine the range of programs, models and possibilities for providing ways of transforming law students into legal practitioners; and to produce, if possible, some consensus on solutions and ways forward.³⁵

³³ ‘President — Rosalind Croucher’ (n 29).

³⁴ ‘Christopher Roper’ in Crown Content, *Who’s Who 2015* (2015) 1082.

³⁵ Centre for Legal Education, *The Centre for Legal Education: The First Three Years 1995* (1995) 3.

The Board of Governors of the Law Foundation intended the CLE to be a permanent organisation to carry forward the outcomes of the Colloquium on Legal Education. It was proposed that the overall aim of the CLE would be to further legal education and improve its outcomes. It was seen at that time as taking up the objectives of the Law Foundation and dealing with them in an outgoing, permanent and professional manner.

I have previously described Roper's appointment as Director of the CLE as proving to be an 'inspired choice'³⁶ and, certainly to any outside observer, this is borne out by the CLE's achievements and outcomes from its foundation in 1992 to its closure as an independent organisation in 2000. The importance of the CLE was that it was the first Australian institution to become seriously focused on research into legal education and, in this respect, it became the precursor of other research institutions in this area of study. During its most active period, when it continued to be generously funded by the Law Foundation of New South Wales, it had a major influence on the legal community's reaction to, and views on, contemporary legal education. Roper wrote two of its most significant publications during this time — *Senior Solicitors and Their Participation in Continuing Legal Education*³⁷ and *Foundations for Continuing Legal Education*.³⁸ A further monograph, which incorporated a wide-ranging literature review on this topic, was *A Study of the Continuing Legal Education Needs of Beginning Solicitors*,³⁹ authored by John Nelson.

The most important aspect of these early publications was that they were in an area of legal education that had never been explored in the interests of legal research. The CLE later published a document titled *The First Seven Years* that chronicled a notable list of its achievements, which were mainly attributable to Roper's role as the Director.⁴⁰ Among these accomplishments were a review of practical legal training in New South Wales, assistance to the New South Wales Law Society in developing a policy on legal education, and reviewing their Accredited Specialists' Scheme.

However, perhaps the most significant achievement of the CLE were two major research projects, the first a national law students' career intentions and career destinations study of Australian law graduates, and the second a study of the socio-demographic characteristics of first-year law students. Although both of these studies were conducted more than two decades ago, their results are still currently quoted, as no other researcher or institution has been able to gather the resources or funding to conduct similar projects.

³⁶ David Barker, 'Silver Jubilee Milestone 1992–2017: A Contribution to Australian Law Teaching the Coming-of-Age of the Centre for Legal Education and the Legal Education Digest' (2017) 10 *Journal of the Association of Law Teachers* 8, 9.

³⁷ Christopher Roper, *Senior Solicitors and Their Participation in Continuing Legal Education* (Centre for Legal Education, 1993).

³⁸ Christopher Roper, *Foundations for Continuing Legal Education* (Centre for Legal Education, 1999).

³⁹ John Nelson, *A Study of the Continuing Legal Education Needs of Beginning Solicitors* (Centre for Legal Education, 1993).

⁴⁰ Centre for Legal Education, *The Centre for Legal Education: The First Seven Years 1999* (1999).

Another significant achievement of the CLE was the development of an impressive portfolio of legal publications, which incorporated the *Legal Education Digest*, the *Australasian Legal Education Yearbook*, a wide variety of legal monographs, two major reports relating to the introduction of the *Uniform Admission Rules* and *The Lawyers Admission Handbook*, the *Lawasia Directory of Law Courses* and *The Australasian Professional Legal Education Directory*.⁴¹

The CLE was also responsible for organising a New South Wales Legal Education Conference, which met on a six-monthly basis, having as its primary purpose an exchange of information and a focus on matters of current concern relating to legal education in New South Wales. This brought together representatives of legal professional bodies responsible for legal education, delegates from the appropriate government departments, Law Deans and Heads of practical legal training courses, providers of continuing legal education and representatives from the Australian Law Students' Association.⁴²

In 2000, the CLE moved to the University of Newcastle, following a review by the Law Foundation of New South Wales that concluded it could no longer financially support it. Roper continued as head, with the designation of Professor. However, it soon became evident that the CLE would struggle to effectively function away from Sydney. Roper therefore resigned at the end of 2001.⁴³ Although the CLE continued to function, it eventually merged with Bond University Law School's Centre for Professional Legal Education in 2017.⁴⁴

Roper became Director of the College of Law Alliance 2001–05 and Director of the St James Institute 2007–10, and was appointed in 2009 as the Secretary of the Judicial Conference of Australia.⁴⁵ He was also appointed to Adjunct Professorships with the City University of Hong Kong in 2009 and the Western Sydney University in 2014.⁴⁶ However, holding these administrative posts did not end his connections with legal education. In 2007, concerned that another organisation, such as the Law Council of Australia, or a government body would step in, CALD resolved to take the initiative and establish a set of national standards for Australian law schools. (In 1994, the Law Council of Australia had unsuccessfully attempted to establish a National Appraisal and Standards Committee to accredit law schools.) The outcome was that CALD established a Standing Committee on Standards and Accreditation ('the Standards Committee'), which sought Roper's assistance in drafting *Standards for Australian Law Schools*.⁴⁷

Michael Coper wrote a brief history of the standards project in 2008 when Chair of the Standards Committee.⁴⁸ This history records that CALD approved the standards as set out in

⁴¹ Barker, 'Silver Jubilee Milestone 1992–2017' (n 36) 10.

⁴² *Ibid* 11.

⁴³ *Ibid* 12.

⁴⁴ *Ibid* 15.

⁴⁵ 'Christopher Roper' (n 34).

⁴⁶ *Ibid*.

⁴⁷ Barker, *A History of Australian Legal Education* (n 9) 162.

⁴⁸ Coper, *A Brief History of the CALD Standards Project* (n 21).

the Standards Report by unanimous resolution as the Coogee Sands Resolution.⁴⁹ Roper was instrumental to the ongoing success of the standards due to his concise drafting of the Standards Report.

VI REVIEW AND CONCLUSION

Law teaching has been described as ‘a great and noble occupation’:⁵⁰ the four law academics discussed in this article all exemplify that description. Although most of their early experience was at the time of the ‘Second Wave’ law schools, their most meaningful influence has been during the most recent expansion of Australian law schools — the ‘Third Wave’ law schools or ‘Avalanche of Law Schools’⁵¹ — in the period 1989 to 2015 onwards. This period has been marked by a dramatic change in law teaching, legal research, legal education and the legal profession, apart from the effect of the Dawkins reforms whereby the binary divide between the former universities and colleges of advanced education was abolished.⁵² While three of the four academics nominated were also involved at some time in their early careers with the influential and innovative experience of working at the UNSW Law School, Roper followed an entirely different career path of being the principal participant in the introduction, post-Second World War, of practical legal training. What makes the careers of all these law academics stand out is their wide involvement in teaching and research, incorporating leadership in their roles as Deans with regard to Coper, Weisbrot and Croucher, who, in 2007, were all appointed Foundation Fellows of the Australian Academy of Law. Coper (2005–07) and Croucher (2002) were also elected chairs of CALD.

The four would also feature in any literature review of the development of Australian legal education since 1989. What distinguishes them from their peers is an exceptional ability to bridge the gap between legal education and the legal community.

⁴⁹ Barker, *A History of Australian Legal Education* (n 9) 163.

⁵⁰ Fiona Cownie and Ray Cocks, *A Great and Noble Occupation: The History of the Society of Legal Scholars* (Hart Publishing, 2009).

⁵¹ Barker, ‘An Avalanche of Law Schools’ (n 3).

⁵² Barker, *A History of Australian Legal Education* (n 9) 100.